

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Securities and Exchange Commission

v.

Civil No. 03-cv-490-JD

Koji Goto, et al.

O R D E R

The defendant Koji Goto has filed a motion for a status conference or order staying civil action (document no. 78) on the ground that he has been found to be legally incompetent by order of the Hillsborough County Superior Court.

A final pretrial conference is currently scheduled for October 3, 2005, and trial is scheduled for October 18, 2005.

Due to the finding of incompetence, the trial is continued at this time. The final pretrial conference will be converted to a status conference. At that conference counsel are to be prepared to address the issue of whether or not the court should appoint a guardian ad litem to represent Mr. Goto in this matter pursuant to Fed. R. Civ. P. 17(c), so that this case can be

resolved, and how, if appointed, the guardian will be compensated.

SO ORDERED.

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Joseph A. DiClerico, Jr.  
United States District Judge

September 21, 2005

cc: John L. Allen, Esquire  
Peter D. Anderson, Esquire  
Edward C. Dial Jr., Esquire  
William S. Gannon, Esquire  
Edward A. Haffer, Esquire  
John Paul Kacavas, Esquire  
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